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sideration. *Johnson v. Otterbein Univ.*, 41 Ohio St. 527, disapproved. *Methodist Episcopal Church v. Kendall* (Mass.) holds the contrary.

MISCELLANEOUS.

Constitutional Law—Right to Jury Trial—Liquor License—Forfeiture.—*Voight v. Board of Excise Commissioners of City of Newark*, 36 Atl. Rep. 686 (N. J. Sup.). A statute providing for the forfeiture of liquor licenses and that the body which granted the license shall on the complaint of three resident voters investigate the acts alleged to have worked such forfeiture, and if defendant is found guilty, revoke his license, does not contravene the constitutional right of trial by jury, and the licensing body need not wait for the action of the criminal courts. See *People v. Board of Commis., etc., of Brooklyn*, 59 N.Y. 96, for a somewhat similar statute upheld.

Anti-Trust Act—Interstate Commerce.—*United States v. Addyston Pipe and Steel Co.*, 78 Fed. Rep. 712. Where several corporations engaged in the manufacture of cast-iron pipes formed an association whereby they agreed not to compete with each other in regard to work done or pipes furnished in certain states and territories, and to make effectual the objects of the association, agreed to charge a bonus which was to be added to the real market price of the pipe sold by those companies, the combination was not a violation of the "Anti-Trust" act, as it affected interstate commerce only incidentally.

Trade Marks—Infringement.—*City of Carlsbad v. Schultz*, 78 Fed. Rep. 469. One who sold artificial "Carlsbad" water five years before the importation of the real article has a right to continue his business and cannot be restrained from using the name "Carlsbad," provided it is accompanied with an adjective such as "artificial" printed as conspicuously.

Customs Duties—Vessels or Yachts.—*The Conqueror*, 17 Sup. Ct. Rep. 510. Vessels and ships are not dutiable under tariff act of Oct. 1, 1890 (26 Stat. 567), not being scheduled *eo nomine* under "articles;" nor can the fact that a pleasure yacht was purchased abroad and brought to this country by an American be applied as a test of dutiability.